

**GOVERNMENT OF TELANGANA
ABSTRACT**

PUBLIC SERVICES - Registration and Stamps Department - Sri Syed Masood Ali, former JSR-1, RO (OB), Warangal (now retired) - Departmental Proceedings initiated - Orders of the Hon'ble High Court - Imposition of penalty and release of pensionary benefits - Orders - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No. 430

Dated: 19-09-2018

Read the following:

1. From the C&IG, R&S, Hyderabad, Lr.No.X3/5492/2002,Dt.25.07.2009.
2. From the DIG, R&S, Warangal, Lr.No.A3/746/2006, Dt.18.09.2010.
3. G.O.Rt.No.1753, Revenue (Vig.VI) Department, Dt:14.12.2012.
4. Govt. Memo.No.45262/Vig.VI (1)/2010-2 &3, dated: 03.01.2011.
5. Orders of the APAT in O.A.No.825/2013, Dt:13.02.2015.
6. Orders of the Hon'ble High Court of A.P. in W.P.No.29583/2015, Dt:03.01.2017.
7. Orders of the Special Judicial 1st Class Magistrate for PCR Cases, Warangal, Dt:07.06.2018.

O R D E R :

It has been brought to the notice of the Government that two(02) sets of cases are registered against Sri Syed Masood Ali, former JSR-1, RO (OB), Warangal (now retired) for committing certain irregularities i.e. failure to discharge his duties as Govt. Servant in accordance with Rules and instructions etc., vide references 1st and 2nd read above.

2. After careful examination, Government, have imposed a penalty of 5% cut in pension for a period of five years against Sri Syed Masood Ali, former JSR-1, RO (OB), Warangal (now retired), vide reference 3rd read above.

3. In the reference 4th read above, the C&IG, R&S, T.S., Hyderabad was requested to initiate criminal action against Sri Syed Masood Ali, former Joint Sub Registrar-I, O/o. Registrar Office, Warangal (now retired) and also to recover the loss of revenue of Rs.8,52,075/- from the individual under Andhra Pradesh Revenue Recovery Act, 1864 and G.O.Ms.No.227, Finance (Pen.I) Department, dated 29.05.2001, and send Action Taken Report in the matter.

4. Aggrieved by the above orders, the individual has approached the Hon'ble APAT. The APAT has delivered its judgment vide reference 5th read above. The operative portion of the judgment is as follows:

“While observing the above, the Hon'ble Tribunal has allowed the OA partly and directed the respondents to pay interest @ 10% per annum from 1.11.2006 (next date of retirement) till the date of payment on pension, commutation of pension and all other pensionary benefits, by deducting 5% in his pension for a period of one year towards punishment within a period of eight weeks from the date of receipt of order (order copy received in Govt. on 16.4.2015). The APAT, Hyd. also further directed the Govt. (1st resp.) to identify the persons responsible for not paying the pension and other pensionary benefits to the applicant even by deducting the cut in pension that was imposed on him and fix the responsibility and take suitable action against them. The respondents shall furnish the ATR to the Court by 5.6.2015 and posted the OA on 5.6.2015 under the caption “For Filing Report”.

5. Aggrieved by above Judgment, Government have filed W.P. No.29583/2015 in the Hon'ble High Court. The Hon'ble High Court has delivered its judgment vide reference 6th read above. The operative portion of the Judgment is as follows:

“Interestingly, if one mistake committed by the Tribunal is rectified, the 1st respondent will stand benefited even if the order of penalty is sustained. Therefore,

(P.T.O)

the writ petition is allowed, modifying the order of the Tribunal to the following effect.

- a) *The order of penalty imposed by the Government is upheld and the modified penalty suggested by the Tribunal is set aside.*
- b) *Since the 1st respondent claims that he has not been paid any benefits so far, the petitioners shall settle all the terminal benefits upon the 1st respondent within a period of eight weeks from this date, together with interest as applicable from time to time as per the statutory rules during the period from 01.11.2006 up to the date of actual payment.”*

6. Further, with reference to criminal case filed against Sri Syed Masood Ali, former Joint Sub Registrar-I, O/o. Registrar Office, Warangal (now retired), the Special Judicial 1st Class Magistrate for peoples Civil Rights Cases, Warangal found him not guilty of the offence punishable under Section 409, 420 IPC and the accused is accordingly acquitted u/s 248 (1) Cr.PC and cancelled the Bail bonds of accused and ordered to discharge sureties after expiry of six months period, vide reference 7th read above.

7. Government, after careful examination of the entire matter have decided to release the remaining pensionery benefits together with interest as applicable from time to time as per the statutory rules from 01.11.2006 up to the date of actual payment to Sri Syed Masood Ali, former Joint Sub Registrar-I, O/o. Registrar Office, Warangal (now retired) as per his eligibility besides imposition of 5% cut in pension for a period of 5 years and also recover of an amount of Rs.8,52,075/- from the pensionery benefits of the individual as already ordered vide reference 3rd & 4th read above.

8. The Commissioner and Inspector General, Registration & Stamps, Telangana State, Hyderabad/ the Deputy Inspector General, Registration & Stamps, Warangal shall take further action, accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**RAJESHWAR TIWARI
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

Sri Syed Masood Ali, former JSR-1, RO (OB), Warangal (now retired).
through the Commissioner & Inspector General (R&S), Telangana State, Hyderabad.
The Commissioner & Inspector General (R&S) Telangana State, Hyderabad (with a request
to serve the copy to the individual)

Copy to :

The Deputy Inspector General (R&S), Warangal for information (with similar request).
The District Registrar, Warangal District.
The AG, Telangana State, Hyderabad.
The DTO, Warangal District.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER